

CHAPTER 406

NONPROFIT HOSPITAL AND MEDICAL CORPORATIONS

S. F. 652

AN ACT relating to actions against nonprofit hospital service corporations and nonprofit medical service corporations.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section six hundred sixteen point ten (616.10), Code
- 2 1966, is hereby amended by adding thereto the following:
- 3 "As used in this section the term 'insurance companies' includes
- 4 nonprofit hospital service corporations and nonprofit medical service
- 5 corporations which have incorporated under the provisions of chapter
- 6 five hundred four (504) of the Code."

Approved June 26, 1967.

CHAPTER 407

PRIVILEGED COMMUNICATIONS

H. F. 196

AN ACT to amend section six hundred twenty-two point ten (622.10), Code 1966, and provide for a certain exception to the rule of evidence relating to privileged communications.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Amend section six hundred twenty-two point ten
- 2 (622.10), Code 1966, by striking all of said section after the period (.)
- 3 in line twelve (12) and inserting in lieu thereof the following:
- 4 "Such prohibition shall not apply to cases where the person in whose
- 5 favor the same is made waives the rights conferred; nor shall such
- 6 prohibition apply, as the same relates to physicians or surgeons or to
- 7 the stenographer or confidential clerk of any such physicians or sur-
- 8 geons, in a civil action to recover damages for personal injuries or
- 9 wrongful death in which the condition of the person in whose favor
- 10 such prohibition is made is an element or factor of the claim or de-
- 11 fense of such person or of any party claiming through or under such
- 12 person. Such evidence shall be admissible upon trial of the action only
- 13 as it relates to the condition alleged. If an adverse party desires the
- 14 oral deposition, either discovery or evidentiary, of any such physician
- 15 or surgeon to which such prohibition would otherwise apply or the
- 16 stenographer or confidential clerk of any such physician or surgeon or
- 17 desires to call any such physician or surgeon to which such prohibi-
- 18 tion would otherwise apply or the stenographer or confidential clerk
- 19 of any such physician or surgeon as a witness at the trial of the action,
- 20 he shall file an application with the court for permission to do so. The
- 21 court upon hearing, which shall not be ex parte, shall grant such per-
- 22 mission unless the court finds that the evidence sought does not relate
- 23 to the condition alleged and shall fix a reasonable fee to be paid to